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Address delivered a the funeral of Col. Joseph Warren Scott LL. D. By the Rev. A. D. Lawrence Jewett.

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Memorial

OF

COL. JOSEPH WARREN SCOTT.

ADDRESS

DELIVERED BY

REV. A. D. LAWRENCE JEWETT,

PASTOR OF THE FIRST PRESBYTERIAN CHURCH
OF NEW BRUNSWICK, N. J.,

AT THE FUNERAL OF THE LATE

COL. JOSEPH WARREN SCOTT, LL.D.,

MAY 4th, 1871.

At twenty minutes before eleven o'clock, on Thursday night, April 27th, 1871, Col. Joseph Warren Scott, LL.D., at "Buccleuch," his late residence, on the banks of the Raritan, surrounded by loving and most devoted friends, breathed his last.

It is painful to outlive one's generation, to outlive your old friends, to be the last of your father's family, yet, the lives of some—*a few*—are so interwoven with the sacred and memorable past in the history of family, of country, and of great events, so associated with the historic, so genial and attractive to the young, that they rise superior to the infirmities of declining years, are the joy of the household, and continue to

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the end the admiration and delight of those who are privileged to witness the serene evening of their days —the golden sunset of their life. Of such men it may be said, they never grow old. But old age, however gently touched by time—beautiful to behold in its serenity—revered for the whisperings of wisdom and the breathings of purity—*death spares not; one event* happeneth to all—"*All* go unto one place, all are of the dust, and all turn to dust again."

That manly form is now shrouded and coffined—those noble features, often lighted with smiles are changed—those lips that often uttered the expressions of social affection, of wit, and the counsels of age—that trembled with eloquence in the groves of the academy and in the halls of justice, are now silent as the grave. That hand too, once so graceful in motion, so cordial in its greetings, is now stiff in death. Alas! gone out the light of that once piercing eagle eye. God has "changed his countenance and sent him away." The places that once knew him shall know him no more forever!

Col. Joseph Warren Scott, LL.D., was the *grandson* of John Scott, a Scotchman, who emigrated to this country at a very early period, and who was for a long time an honored Elder in the old Neshaminy Church, near Philadelphia.

Col. Scott was the son of Dr. Moses Scott. Dr. Scott was born in Bucks County, Pennsylvania, and came to this town, and made his residence here some time pre-

vious to the American Revolution—a man greatly honored and beloved.

By Act of Congress, June 1st, 1777, Dr. Scott became senior Physician and Surgeon of the General Hospital in the Middle District, and through the whole war he was connected with, and an intimate friend of General Washington.

Dr. Scott was in the battles of Princeton and Brandywine, by the side of General Mercer when he fell, as well as with Lafayette when he was wounded. Col. Scott's father was a true and a marked patriot, a very rigid Scotch Presbyterian, a most devoted Christian, and for over fifty years an honored Elder in this church. Consider what must have been the probable influence of such a man upon such a son—you will not doubt that he must have feared God, and loved his country: in the darkest days of civil strife, he exclaimed, "there is a just God in Heaven, and he will never allow such wickedness to prevail."

Dr. Scott was very fond of his son—was very anxious that he should be with him when he died; and said to him, "I want you to see how a Christian can die."

At the time of his death Dr. Scott was in the 83d year of his age. That father's death, as well as life, made a great impression on the Colonel. He never forgot, never wearied recalling the scene of his aged father's triumphant departure. The scenes of his youth had great influence on his own future.

Dr. Moses Scott had two sons and ten daughters. His eldest son, Joseph Warren, died in infancy—at the time the British entered New Brunswick. So great, warm, and personal, however, was the friendship of Dr. Scott for General Joseph Warren, that first hero of American heroes, and so warm his patriotism, and so free was he from superstition in his religion, that he also named his second son after that great man of his day, General Joseph Warren.

In this school of patriotism and piety, Joseph Warren Scott was brought up and fitted for duty and usefulness in life, by religious precept and virtuous example. It was his birthright to be associated with men who loved the truth, their country, and their God.

His sister, Hannah Scott, a name still fragrant in this community—a woman remarkable for her piety and good works, who established, over half a century ago, the Sabbath-school of this church, left her impress on many minds, as well as upon that of her gifted brother.

About eighteen years ago Col. Scott was left the sole representative of his father's family, the last of that generation. He had six children. Their mother has been dead for half a century; three of these children are still living.

Lavinia Agnes, the widow of the late Rev. Richard Varick Dey, *Joseph* (Judge Joseph G. Scott), of Illinois, and *Charles S. Scott*, an officer in this church of his fathers.

Col. Scott leaves also six grandchildren. To children and grandchildren he was the most genial of companions. Nor was this the only circle where Col. Scott gave freedom to his heart, and to which he was bound by the strongest ties, for he had an honored name and place with that society, which was very dear to him, which had its origin in the love of freedom, of country, and of home—the old Order of the Cincinnati! How he loved, and how the members of that Order loved and honored him, we all well know. He was also a member of the old Order of Freemasons—one of its highest officers in this State; and some of their Lodges are named after him; they too would do honor to his memory.

This life has a history. Here he lies (all that is left of him this side of the grave, ready to be carried out), a son of worthy sires, a dearly beloved brother, an aged uncle, a dear father, a venerable grandfather, an ardent patriot, a patriarch in the Order of the Cincinnati, one of the oldest in the Masonic Order, our oldest citizen, a ripe scholar, an honored and once brilliant member of the legal profession, an old man, eloquent to the last, a man far above ordinary men, a remarkable man even to the end; a member of this church, an old, old man, a dear, dear Christian friend. Well may we turn aside from the busy hum of life—the city stand still—good, patriotic, scholarly, and devout men assemble. Let us walk softly and with bowed heads. Yea, mingle our tears over the noble, the

beloved dead. Let us drop the mantle of forgetfulness over his frailties. Let us linger and talk over the marked history, and repeat the story of his virtues, of his lengthened days, and how he "fell on sleep."

This life, of which we love to think, stretched through nearly five score years; and so strong was his constitution, so recuperative were his energies, that until within a few days of his death, we could not see why he might not be able to reach one hundred years.

We loved him whilst he lived, we love and admire him none the less, but more to-day. His was a life of intelligent activity, and of varied usefulness. He was a friend and champion of "the poorest of the poor." I have heard from aged ones, the children of those whom he cheerfully and without compensation befriended, of his benevolence, his generosity, and great kindness. His was a life which was early favored; he was permitted to enjoy a rare privilege, he *looked on Washington*. Let us travel back to this old man's boyhood. His home was with his venerable father, a man given to hospitality, whose heart was open to the good, and the great, and to the poor. He well remembered playing one day in front of the old house of his father, on Albany Street, and of a gentleman calling and asking if Dr. Scott was at home? "No, sir!" "Is Mrs. Scott?" "Yes, sir!" "Please go in and tell your mother that General Washington

would like to see her." Col. Scott never forgot how he gazed, and looked eagerly again, "impressed," as he said, "with the idea that General Washington was *really a man.*"

We see from this little incident, how *even the children*, as well as the men of that early period, gave the first place in their hearts to one who has been truly called "the father of his country."

"Washington is a watch-word such as echo ne'er left to air."

It was my privilege (through a written invitation from himself) to be present at one of the dinners of the Cincinnati in this city. I remember with what grace and dignity he presided, how he called upon the chaplain, and then upon all present, saying, "Let us invoke the blessing of Almighty God." But this I wish to note, how with a reverence almost equal to that with which he mentioned the name of God, he whispered that of *Washington.* It was (as he introduced it) with a short, but most heartfelt eloquent speech, just previous to the giving of the toast, never forgotten, and drank in silence; *it thrilled us.*

Col. Scott was born November 21, 1778, in this city, where nearly all the years of his long life were passed, and where a grave is now open to receive his mortal remains.

He graduated at "Nassau Hall," September, 1795, when within two months of being seventeen years of age, with the oldest of living graduates, Judge Herring,

his classmate and friend (the one a member of the Whig, the other of the Clio Society). He was present at the installation of Dr. McCosh, and was alluded to by William C. Alexander, Esq , in his speech on that occasion, as the living link between Dr. Witherspoon, who a hundred years ago came to this country, and Dr. McCosh. Old Judge Herring is here to-day. He has sprinkled the coffin with his tears, and left the impress of his farewell kiss on the noble brow of his dear old classmate.

In his young days Col. Scott studied medicine for a short period with his father, and for a time studied theology—a science suited to his cast of mind, and in keeping with his early education, if not congenial to his heart. Inquiring of him how he came to take up the study and to devote himself to the profession of the law, he said he was on a visit of pleasure to a friend in New York State; that whilst there, enjoying himself as a young man, he was requested one day to attend a sitting of one of the courts, more particularly to listen to some able lawyer. He did so, became greatly interested in the able and eloquent argument which he felt himself privileged to hear, and *that* was the *occasion* of deciding him to adopt the noble profession of the law. He commenced its study at the age of nineteen, with General Frelinghuysen, the father of the late Theodore Frelinghuysen, President of Rutgers College. He gave himself ardently to its study, and stepped into the arena of the bar at a very

early age, having been a licensed Attorney at twenty-one years, a Counsellor-at-law at twenty-five, two months before his marriage; and rapidly did he rise to eminence in this city, and throughout the State. In criminal cases he showed great power, and at times was resistless in his eloquence. Those who met him in any case knew that they grappled with a giant, for he was also remarkable for his legal acumen, wide range of reading, and wonderfully retentive memory, and for great force of argument. To young lawyers he was always kind and ready to give a helping hand. He was never known to descend to vulgar personal abuse, though when occasion required, he was powerful in sarcasm. The study of the law was a passion with him, a science of which he never wearied, and in which he felt himself at home. He argued his last cause at the age of eighty. He spoke for several hours without much physical weariness, considering his years, and with great credit to his ability as a lawyer, as well as to the strength of his memory and ripened powers. It was his father's injunction when he commenced the profession: "My son, however busy never turn a deaf ear to the widow and the orphan." And it is said that he never forgot it, acted upon it, and was far, very far from ever betraying any mercenary or grasping spirit in his profession. High in his charges, but never forward to press any amount that might be due to him, even for his fees, and hesitating not, again and again, to labor without pay, and (where his client was poor) with a high

sense for honor, justice, and humanity, travelling at his own expense from court to court.

Col. Scott was an accomplished scholar, well versed in the Latin classics, and accustomed frequently to correspond with his friends in the Latin language even to the last year of his life.

With the Westminster Catechism in Latin, as well as English, he was familiar; to him it seemed the work of logical and master minds—the ablest uninspired work ever written.

His Latin Bible was always by his side: his daily companion. He loved it; in my pastoral interviews with him, it was almost always in his hand and ready for reading or for reference. He was a fine belles-lettres scholar, and had "the pen of a ready writer." He was well versed in English literature, and familiar with the old poets. But a few days before he died, as his eye caught sight one evening of the new moon, his love of nature and love for poetry was expressed in those old lines of Addison—

"Soon as the evening shades prevail,
The moon takes up the wondrous tale;
And nightly, to the list'ning earth,
Repeats the story of her birth.
Whilst all the stars that round her burn,
And all the planets in their turn,
Confirm the tidings as they roll,
And spread the truth from pole to pole.

* * * * * * * *

In reason's ear they all rejoice,
And utter forth a glorious voice,
Forever singing, as they shine,
"The hand that made us is Divine."

Col. Scott was familiar with Scriptural Theology, the Bible having been, in his view, the basis of all human law. It was ever the man of his counsels as it had been the guide of his youth. Said the late Dr. Cannon to one of his grandsons: "There are few clergymen as well versed in theology as your esteemed grandfather." He had no doubt—*never had*—as to either the internal or external *evidences* of Christianity. Along the great outlines of Divinity he delighted to range in thought; from boyhood he was familiar with the stanch old doctrines of the Orthodox Fathers.

Thus the old Scotchmen were wont to bring up their sons. He delighted in strong theological arguments, and again and again remarked he had never met with any man who could, either in his speech or his writings, compare, as he thought, with the late Dr. John M. Mason, from whose works he often quoted. Seldom do we meet with more reverence and more respect for ministers than he uniformly evinced.

We stand to-day by the side of one who looked upon and was familiar with the forms of generals, statesmen, and theologians—men whose names are sacred to America and the world. We stand by the coffin of one who served in the war of 1812, of one who stood by the bedside of the dying Hamilton (that brightest intellectual star in the galaxy of patriots), of one who heard amongst divines—men great in the history of the American Church—Witherspoon, Samuel Stan-

hope Smith, John M. Mason, Livingston, and Bishop Hobart. Not a few of the great men of the Church and in the State were his warm personal friends. So attached to Col. Scott was the late Dr. John M. Mason, that "prince of preachers," that when shattered in health and broken in intellect he wandered away from his home, his son came in search of him to this city, and found him at the residence of Col. Scott.

Few men in this country have had a greater reputation for brilliant powers of conversation. How he loved to talk of the beauty, the heroism, the virtue, and the piety of the founders of this Government; of venerable men who have been dead for over half a century. They were dear to his heart; some of them warm personal friends, and the thunders of their eloquence he alone could describe.

Here is severed one of the few living links that remain which bind us to that early period—so weighty in its results to the Church and the world.

Enfeebled by age—unable to attend the sanctuary—his Sabbath evenings had long been devoted to the reading of the Bible and the sermons of eminent divines. It was considered a great privilege by his children to read to him and to hear his comments.

At one time, engaged in reading the Bible with him, I compared the Gospel of John with some other parts of the Scripture, and expressed my admiration of the literary beauty, the power, the grandeur of thought found in our blessed Lord's intercessory pray-

er; but he did not approve of comparing one part of Scripture with another: saying, that to him *all* Scripture was grand—sublime.

When I think of his high mental attainments, as well as his superior endowments, and the great opportunities he had, from both his social position and official relations, for exerting a wide-spread Christian influence—I am amazed that he should have so long delayed to take a decided stand for Christ—thus giving the clearest, bravest utterances of his faith.

My personal acquaintance with him has been but during the past *three years.* The great trouble of his mind seemed to be in regard to *his part* in the great truths and promises of Scripture. He desired the assurance of faith, and seemed (as is often the case) to overlook *the necessity* of the use of the highest means of grace. When to the glory of Sovereign grace, he appropriated to himself the righteousness of Christ, and grasped those promises which are yea and amen in Christ Jesus, then he felt that it was his privilege, as well as duty to come to the Lord's Supper.

The Session of this Church well remember (nor can it ever be forgotten) that beautiful Sabbath, a year ago the 6th of last June, when he sent for us, and requested that after the communion services of that Sabbath morning we would meet at his house. It had been his strong desire to stand in this sanctuary on that day—here publicly to confess Christ. He would not give up this desire, until at the earnest persuasions

of the loving ones at home, he was induced to remain on account of his physical inability. At his request the Session bore the sacred elements to his home. We had assembled. He entered the room leaning upon the shoulders of his son and grandson—his long white hair hanging over his shoulders, his head bowed, his footsteps feeble. Trembling with emotion this aged man came as a little child to the feet of Jesus.

Deeply he felt his unworthiness, and trusted alone to Christ for pardon, for righteousness, for peace. Without any lingering reserve he cast himself on the Redeemer's most solemn commands and richest promises: with this earnest prayer—"God be merciful to me a sinner." "Lord, remember me when Thou comest into Thy Kingdom."

Amidst the reading of the Gospel, prayer, singing the sweet songs of Zion, and tears—we expressed our faith in *Jesus Christ*, the CRUCIFIED, taking the Cup of Salvation and calling on the name of the Lord—

"Our faith looked up to Thee
Thou Lamb of Calvary."

Great was our joy, the joy of his family, and his joy in the Lord.

That night his son accompanied him to his room; the venerable old man spoke of the enjoyment of the blessed services in which he had been privileged to participate. He remarked that the day was endeared to him in a twofold degree; being the anniversary

of his son's birth, and the day of his own first communion.

Toward the close of that week he heard of the death of one much loved, and who had been officially associated with him in the Order of the Cincinnati. That sad intelligence was followed on the 13th of June by a slight stroke of paralysis, from which he partially recovered.

In reading, in converse with friends, in admiring the beauties of nature, and more than ever devoted to the study of the Bible—in meditation and often rapt communion with God—he passed the remaining period of his life. One who has known him for long years, speaks of his happy, hopeful disposition, never knew him to speak an angry word, to show the least peevishness and irritability so common to age, and in the highest terms dwells on his great patience and cheerfulness.

To all around him he has for many years been the fountain of genial influences. A pure-minded man as well as strong and brilliant in intellect—his social moral virtues outshining all else—full of humor and of pure wit; to the last few days so genial; and even then I saw him calm as a lake long sheltered in the bosom of the eternal hills.

Although his mind was of late feeble—not able long at a time to dwell upon some subjects, and his memory not so tenacious as of old in the firmness of its grasp, yet but a couple of weeks ago he was prompt to give

a legal opinion, at the request of a particular friend, and to refer to legal authority for it. Also to another friend who called and would test his memory in Latin, by putting a question in the Catechism and purposely incorrectly, at once the Colonel reminded him of its want of accuracy, and gave also the correct response.

Nor had he lost interest in the outer world. A friend speaking to him of the troubles in France, of the code of the Communists in Paris, he expressed himself indignant at such infidel sentiments, considered such men "a pack of fools," which opinion he confirmed with Scriptural quotation—"The fool hath said in his heart there is no God."

The day before he died I had a long interview with him. I was providentially led thither not knowing, when I started from home, that he was ill. He knew me. Whilst sitting by his bedside I was led to remark his strong resemblance to his honored father, whose portrait hung from the wall above his couch. A few moments passed. I did not know whether he had heard me or not. He raised his hand, and with an expressive, graceful wave, said, "I consider that, sir, a *grand* compliment."

He dearly loved and honored his father and his mother to the day of his death—loving to gaze daily at their portraits, to speak of their virtues, of their lives, of their triumphant deaths, of hoped-for reunion through Christ.

He fulfilled the command. He received the blessing. His days were long upon the land which the Lord God of his fathers gave to him. At that interview I read to him the 8th chapter of Romans, a great favorite with him. It was the first verse of that chapter which Mr. Eastburn, that dear old pilgrim, had once told me to take to Col. Scott. I had met him in the street, told him I was troubled about the Colonel, and asked him to pray for him, that I was on my way out to see him. Said good old Mr. Eastburn, "Remember me to the Colonel. He is a remarkable man; used to be a most eloquent lawyer. I heard him when he was in all his youthful vigor. Say, I may never see him again here on earth, but I hope to meet him in Heaven." His eyes filled with tears—his uplifted hand and lips trembling, he said, "*Tell him—tell him,*" said the good old Christian, "that there is, therefore, now no condemnation to them that are in Christ Jesus."—Romans, ch. 8, verse 1.

Whilst reading this chapter, I had occasion to quote the hymn, "Jesus, lover of my soul." "Beautiful," he said, and then I spoke of "Rock of Ages," at which he lifted his hand and said, "*That is a lofty hymn.*" At his request, I led in prayer, closing with the Lord's Prayer, in which I heard him distinctly following: his voice clear, gentle, rich.

I saw him again on the last day of his life; he was very feeble, but at once he knew me, and taking me

warmly by the hand, as if unwilling to let me go, "Pray for me," he said.

In a short prayer, I commended him to the Word of God, which is able to build us up, and give us an inheritance among them that are sanctified.

With the evening shadows the departure drew nigh. *How was he* in the swellings of Jordan? Ere the sun set he wanted once more to look upon the shrubbery, and the trees, and the deep blue heavens. Gently the hours of the night deepened. Toward midnight the loving ones who watched him noticed "a look—a look of great astonishment—a bright, brilliant gaze upward"—a smile, and *he was gone.*

Peaceful as an infant "he fell on sleep."

Death set its seal upon his brow deeper than the stamp of age; and our aged friend is gone—gone to the land that is far off—his soul neither shelterless nor houseless—he has entered the palace of his King, of *his hopes!* He is gathered to his fathers. He used to wish that his hope was as strong as his faith—*now it is blissful indeed.*

Look at that *countenance* greater than "age," greater than "death," the immortal soul!!! *We are glad* that he lived so long—GLAD that now he is no longer this side of the dark river. We would not, if we could, call him back—we believe that through *Christ*, his is now a house not made with hands, eternal in the heavens.

Grant it that sin attended him to the very gate of

Heaven, so did faith; and who could deliver him from this body of sin and death—who but Christ! Yet, with Col. Scott and the fathers, I too believe that here the child of faith attains not perfection, but the souls of believers are at their deaths made perfect in holiness. *He knew* "whom he believed," and that He is able to keep that which He had committed unto Him. A sinner saved by grace—Christ his all in all. He died in the faith of his fathers—in the faith once for all delivered to the saints.

How can any one meet death calmly, *save Christ is his life?*

How otherwise can death be gain? Amid the damps of the sepulchre, what avails it to the soldier that he dies "under the shade of the laurels he has won"—to the statesman and lawyer, his world renowned wisdom and sagacity—to the scholar, his talents, the brilliancy of his genius? WHAT! *all* the honor, the gains, the fame of earth? What, even the consciousness of having been good to the poor? *Unless* our faith can grasp the wisdom of God and the power of God unto salvation, as written on the Cross of Christ—death will have its sting, the grave its victory.

But some one here may say—'Tis done and all is over—this is the end of man. What! *this coffin* and *this dust* the end of thy being? *Never!!!* No! nor didst thou ever believe it! *No!* that noble intellect, that mighty will, that great heart cannot be resolved

into *dust.* The Harp—the good old Harp! It is done with here, but as "music flies from the broken strings," the spirit within thee mounted to the Throne of God.

The fires that burned within and blazed from out that beaming eye so full of thought, of love, Live! Ay, our aged friend still lives!—[thank God the Father, and Christ the Son!]—still lives, and now shines with a seraphic beauty, with intenser life.

If so be, and so we believe it was, that *that spirit* was born again and united to Christ by a living faith, then it breathes *now* "in a purer ether and diviner air." Summers bright forever on the hills of God.

Mourning friends, look not on the coffin—nor to that old arm-chair at home—nor rest your eye long on the dear old books nor portraits; *behold* the Gospel lifting the star of hope—amidst your tears and the gloom of the grave—look up—see his crown—his robe—his palm of victory! *Rejoice—the God of the aged*—of the sainted dead—folds but the closer to His bosom of redeeming love the believer. Absent from the body, present with the Lord!

Hail! and farewell, *dear aged friend. With you*, I too believe that "God is just, and the justifier of him that believeth in Jesus."

With you, and that old Christian pilgrim, I believe "that there is now, therefore, no condemnation" to them that are in Christ Jesus.

With the dying thief upon the cross, well may each and all of us cry out, "Lord, remember me when Thou comest into Thy Kingdom."

We too will make ours that "lofty hymn,"

"Rock of Ages cleft for me
Let me hide myself in Thee."

At the conclusion of the Address, a Prayer was offered by the Rev. Dr. Chambers, of New York City. After the Benediction, the body was removed to the basement of the church, the burial being delayed till the arrival of a member of the family from Nevada. The interment took place on Saturday, May 6th, at 5 o'clock, P. M.

IN MEMORIAM.

On Wednesday, May 3d, the members of the Middlesex County Bar held a meeting in the office of Counsellor A. V. Schenck, the object being to take appropriate action in reference to the death of Col. Joseph Warren Scott, who was the oldest member of the Bar of this State. This meeting was presided over by Counsellor William H. Leupp, and Attorney James H. Van Cleef officiated as Secretary. The result was the appointment of Messrs. G. B. Adrian, William H. Leupp, and A. V. Schenck, a Committee to draft suitable resolutions to the memory of the deceased, and present them to the Court to-day, the 23d instant. There was a good representation of the members of the Bar present, and Mr. Adrian, the Chairman of the Committee, addressed the Court as follows, and then read the subjoined resolutions:

May it please the Court:—Death has again laid his cold and icy hand on one of our number. This time not on the young or middle-aged, but on the oldest member of the Bar of New Jersey. Col. Joseph Warren Scott is no more. He died in this city, on the evening of the 27th of April last, in the 93d year of his age, and with Christian fortitude and hope; a fitting close to a long and eventful life. We shall see no more his manly and venerable form, his beaming countenance, and flowing silvery hair. No more shall we see the sparkle and fire of his eye, and hear the sweet accents of that melodious voice, which once so charmed and enchained our attention. The great lawyer, eloquent orator, accomplished scholar, and refined gentleman is at last gone.

Col. Scott was born in this city on the 21st of November, 1778. He was of Scotch descent. He was, too, of good old Revolutionary stock, for his father, Dr. Moses Scott, was an early patriot in that holy cause which gave freedom and independence to this country. Dr. Moses Scott was a Surgeon-General in the American Army, and an intimate friend and associate of Washington and many of his brave compatriots. He was at the memorable battles of Brandywine and Princeton, with his whole soul glowing with patriotic fire. And he had so strong a love and admiration for the heroic men who had taken up arms in their country's defence, that he named his son—him to whose memory we are this day paying a tribute of respect—Joseph Warren, in token of his high regard for that great hero and patriot, who early fell "a victim of his own self-devoting heart, and the first great martyr in that great cause;" and of whom the great Webster said: "Wheresoever among men a heart shall be found that beats to the transports of patriotism and liberty, its aspirations shall be to claim kindred with his spirit."

Col. Scott received his preparatory education for college, partly in this city, and partly in Elizabeth, and entered Nassau Hall in 1791, and at so early an age, that he was not quite seventeen when he graduated. At the time he was at this venerable institution of learning, Dr. Witherspoon was its President, and consequently young Scott had the benefit of the example and instruction of that remarkable man. On leaving college he studied medicine, but soon abandoned it for a profession much more congenial with his tastes and talents. He then entered the law office of Gen. Frelinghuysen, the father of the late Theodore Frelinghuysen, and devoted his whole time and energy to the study of the legal science, of which he afterward became such a master and ornament. He received his attorney's license the 27th of February, 1801, and that of counsel-

lor the 1st of March, 1804; and subsequently he was made Judge Advocate of this State, and a Prosecutor of the Pleas. He commenced the practice of his profession in this city, where he continued to live during his life-time. And, as might be expected, he rose rapidly to distinction, for he was in every respect well calculated to achieve success. In addition to his acuteness of intellect, great legal knowledge, and captivating eloquence, he possessed a manly form and most pleasing address, He was soon everywhere acknowledged to be a great lawyer and orator, and his practice was not confined to his own county, but ranged throughout the whole State.

Those of us, may it please the Court, who knew personally Col. Scott when he practised at the Bar in all the strength and vigor of his intellect, can speak of him in no other terms than those of the highest respect and admiration. He was, without doubt, one of the ablest lawyers this State has ever produced, and we all know she can boast of many who have been greatly distinguished for their learning and eloquence. He was cotemporary with such men as Isaac H. Williamson, Samuel L. Southard, Garret D. Wall, George Wood, Theodore Frelinghuysen, Peter D. Vroom (the last still living and adorning his profession), and others of like high character, and it was with such great luminaries in the law that he was constantly brought into contact in his professional career. And it is enough to say, that in all his legal encounters with such men, he ever maintained his ground with consummate ability, and not unfrequently bore away the palm of victory. His mind was quick, clear, strong, comprehensive, and eminently legal in its nature, and enriched by years of the closest study. He was indeed a learned lawyer and a most eloquent speaker. As an advocate before a jury, especially in a criminal case which admitted of a full display of his oratorical powers, he was brilliant and effective. He had great com-

mand of language, and possessing a rich and vivid imagination, and a warm and impulsive nature, his outbursts of pathos and eloquence were oftentimes wholly irresistible.

In his professional intercourse with the members of the Bar, he was distinguished for great courtesy of manner. He was noble and generous in all his conduct and actions. He scorned everything like trick or artifice, and never forgot, even in the heat and fervor of debate, what became a high-minded man and true gentleman. His face might flush and his eye flash with indignant feeling at some personal allusion or cutting remark, yet he would never descend to low or coarse abuse, but oftentimes indulged in withering sarcasm or pointed wit.

Those of us who were so fortunate as to come to the bar when he was in the full zenith of his fame and power can never forget, not only his masterly legal arguments, his fervid and impassioned eloquence, and his ready wit and repartee, but also his exceeding great kindness to those who had just entered the professional arena. He was ever frank and easily approached, and never turned away a young practitioner who sought his advice or assistance.

Col. Scott was not a mere lawyer, whose knowledge did not extend beyond the narrow limits of his own profession. He was something more. He was a general scholar. He was a great reader, and well acquainted with ancient and modern history, and very familiar with the old English poets. Milton and Shakespeare he had almost by heart. He delighted, too, in the fanciful creations of that great magician, Sir Walter Scott. He was also a most excellent classical scholar, being well versed in the old Greek and Latin authors. He was, in fact, a man of high literary taste and culture, who sought after polite learning in all its branches, not only for the great pleasure it afforded, but with the view of making himself a more useful and accomplished lawyer and orator. And it was ow-

ing in no small degree to his extensive reading and general scholarship that he was such a skilful, interesting, and impressive speaker, ever winning his way to the popular heart and mind.

In social life he was a very entertaining and remarkable man. He had great conversational powers. He had such a wonderful memory, and knowledge of men and things, and so full of anecdote and ready wit, that his society was most eagerly sought after. And well might the Hon. Hamilton Fish, in a recent letter of sympathy on the death of our late friend and brother, remark, "that Col. Scott was one of the most attractive talkers and agreeable companions that it had been his fortune ever to meet with."*

Col. Scott, with all his great learning and speaking talent, never seemed ambitious of political distinction. He was almost too fearless and independent in thought and action for a mere party man. He was a presidential elector in 1824, and in 1841, a member in the upper branch of the Legislature of this State. He was no politician, seeking his own personal aggrandizement. He was something far higher and better, a true patriot and lover of his country. In the war of 1812, he at once responded to the call which his country made upon her sons to maintain her flag and her honor. His was a true and

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* Washington, *April 28th.*

Col. Alexander Hamilton, *New Brunswick, N. J.:*

My Dear Sir,—Your telegram announces the death of one who, full of years, closes a life of much activity, and of marked ability. Genial and bright in intellect and in wit, four score and ten years had not, when last I met him, quenched the ardor of his warm and impulsive nature; and I shall ever remember Col. Warren Scott as one of the most attractive talkers and agreeable companions whom it has been my fortune to meet. I have written to the Secretary of the General Society of the Cincinnati, informing him of the death of our associate, and requesting such action as the rules and the past course of the Society on such occasions have established.

With much respect, very truly yours,

Hamilton Fish.

loyal heart. He could not have been anything else but a real patriot, with such a noble parentage—with such a hallowed name as Joseph Warren, and with all his early training, and the patriotic recollections of his childhood, when he had the great good fortune to gaze upon the placid countenance and majestic form of him who was the leader of the American forces, and so justly styled the Father of his Country.

It is upward of thirteen or fourteen years ago since Col. Scott practised at the bar. He then withdrew from the active duties of his profession, living quietly at his beautiful country-seat, but a short distance from this city, surrounded by the loving members of his family, whose chief object and delight was to contribute to his comfort and happiness. And although during this long period he was in a great measure withdrawn from public view and attention, he was not, however, forgotten by his many warm friends and admirers. Those of us who knew so well his great talents as a lawyer and orator, did not allow his name to glide out of our recollection. And now that he has at last so peacefully sunk to rest, full of years and of honor, the members of this Bar of which he was so long a leading and shining ornament, cannot suffer this occasion to pass by without expressing their highest regard for his name, memory, character, and worth. Col. Joseph Warren Scott will long live in our warmest remembrance, and ever hold a bright and enduring place in the annals of New Jersey, as one who, in his day, was greatly distinguished for learning, genius, and eloquence.

And now permit me, may it please the Court, to present the resolutions prepared by the Committee appointed at a recent meeting of the members of this Bar, which was held on the occasion of the death of our late friend and brother, and respectfully to ask that they may be entered on the minutes of this Court:

1. *Resolved*, That in the recent death of Col. Joseph Warren Scott, not only the Bar of this County, but of the State of New Jersey, have lost one of their most gifted members, who for so many years stood in the highest rank of the profession; alike noted for his great natural abilities, profound legal learning, and captivating eloquence.

2. *Resolved*, That besides being a most learned lawyer and eloquent orator, he was widely known for his general knowledge, high literary attainments, ready wit, great conversational powers, and patriotic love of country.

3. *Resolved*, That in all his conduct and actions as a member of the Bar, and of the community in which he lived, he was high minded and generous, and ever marked for his uniform kindness and great urbanity of manner.

4. *Resolved*, That Col. Joseph Warren Scott will ever be held in the warmest remembrance by the members of the Bar, and that these resolutions be entered on the minutes of this Court, as a mark of affectionate regard for the memory of one who was so greatly distinguished in life, and is deserving of lasting respect and honor in death.

5. *Resolved*, That we deeply sympathize with the members of the family of our deceased friend and brother, in the loss of one whom they so much loved, and of whom they were so justly proud, and that they be furnished by the Clerk of this Court with a copy of these resolutions.

6. *Resolved*, That these resolutions be published in the newspapers of this city.

7. *Resolved*, That this Court do now adjourn.

In seconding the resolutions, Mr. Schenck spoke very appropriately, and we may say very reverentially, of the life and peaceful and quiet death of the deceased. The occasion was one of deep solemnity, and Judge Scudder expressed his concurrence in what had been said and done. The resolutions were ordered to be duly entered upon the minutes of the Circuit Court, and out of respect to the memory of Col. Scott the Courts were thereupon declared adjourned.

The Circuit and Oyer and Terminer Courts were adjourned until Friday, July 21, at 10:30 A. M.; and the Court of Quarter Sessions, Common Pleas, and Orphans Court to Friday of this week, the 26th inst., at 10 o'clock, A. M.

TESTIMONIAL OF RESPECT.

A Committee was appointed by the American Whig Society, of Princeton, N. J., to draw up a series of resolutions of respect, upon the death of JOSEPH WARREN SCOTT, LL.D., of this State, in condolence with the grief of the family. In accordance with this appointment, the following were reported:

WHEREAS: It has pleased Him who doeth all things well, to remove to a high and eternal sphere, Col. JOSEPH WARREN SCOTT, LL.D., of New Brunswick, N. J., a prominent member of the New Jersey Bar, and who has been for many years the oldest living graduate of this Society; therefore, be it

Resolved, That while in his removal we would humbly submit to the will of an overruling Deity, yet we must lament for him as one who has ever been an earnest promoter of our Society's best interests.

Resolved, That we deplore the loss of one whose life was a high exponent of the principle of our motto, and whose honorable public and private character proved him well worthy of the high position he maintained among American Whigs.

Resolved, That in his death, the Bar of New Jersey has suffered the loss of one who by his eminent forensic attainments and legal talents, constituted himself one of its noblest ornaments.

Resolved, That we extend to the family and friends of the deceased our heartfelt condolence, and remind them that while they indeed mourn for a friend and a father, we mourn for a brother whose name recalls the earlier days of the history of our Society; for one who by his revered presence stirred within us the noblest aspirations, and whose memory is not to be forgotten;—and be it further

Resolved, That these resolutions be published in the "College World," and the "Nassau Literary Magazine;" and that a manuscript copy be sent to the family of the deceased.

L. R. SMITH,
H. W. LIST,
J. C. CONOVER,
} *Committee.*

American Whig Society, Princeton, N. J.

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